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NOTICE OF ALLOWANCE AND FEE(S) DUE

54265

7590

10/18/2010

CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PORTER, RACHEL L.

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 10/18/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,810	03/25/2004	Lewis Howard Witzig	17231-004US1	7588

TITLE OF INVENTION: METHOD AND SYSTEM FOR PROVIDING A USER-SELECTED HEALTHCARE SERVICES PACKAGE AND HEALTHCARE SERVICES PANEL CUSTOMIZED BASED ON A USER'S SELECTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/18/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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54265 7590 10/18/2010
CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/08,810 03/25/2004

Lewis Howard Wizig

17231-004US1

7588

TITLE OF INVENTION: METHOD AND SYSTEM FOR PROVIDING A USER-SELECTED HEALTHCARE SERVICES PACKAGE AND HEALTHCARE SERVICES PANEL CUSTOMIZED BASED ON A USER'S SELECTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/18/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
PORTER, RACHEL L	3626	705-004000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,810	03/25/2004	Lewis Howard Wizig	17231-004US1	7588
54205	7590	10/18/2010	EXAMINER	
CHADBOURNE & PARKE LLP 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PORTER, RACHEL L.	
			ART UNIT	PAPER NUMBER

3626

DATE MAILED: 10/18/2010

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 774 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 774 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/808,810

Applicant(s)

WIZIG, LEWIS HOWARD

Examiner

RACHEL L. PORTER

Art Unit

3626

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amdt of 4/14/2010 and IDS filed 10/6/10.
2. ☒ The allowed claim(s) is/are 53,71-73,77,95-97,101 and 119-121.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/25/04, 2/23/05, and 10/6/10
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Robert Morgan/
Supervisory Patent Examiner, Art Unit 3626

DETAILED ACTION

Information Disclosure Statement

1. The IDS's filed on 3/25/04, 2/23/05, and 10/6/10 have been entered and considered by the Examiner.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dan Sheridan, Reg. No. 53, 585 on May 6, 2010 and May 10, 2010.

The application has been amended as follows:

[claim 53] **(Currently Amended)** A computer-system implemented method for providing a user with a customized healthcare services insurance package, comprising:

- receiving a personal information data regarding a user, wherein the personal information data comprises a user identifier and an uncredited umbrella policy cost;

- forwarding information regarding a plurality of healthcare service providers wherein each healthcare service provider is associated with an individual cost and an umbrella policy credit;
- receiving a selection of a healthcare services panel comprising a user-defined co-pay amount selected from a provider co-pay range and at least one of the healthcare service providers;
- aggregating the costs of healthcare service providers on the healthcare services panel;
- aggregating the umbrella policy credits of each healthcare service provider on the healthcare services panel;
- using said computer system to calculate a difference between the uncredited umbrella policy cost and the aggregated amount of umbrella policy credits, wherein the difference represents a credited umbrella policy cost; and
- determining the healthcare services insurance package based on a sum of the aggregated costs and the credited umbrella policy cost; and
- forwarding a description of the determined healthcare services insurance package, said description including a proposed periodic payment for purchasing said determined healthcare services insurance package.

[claim 71] **(Currently Amended)** The method of claim 53, wherein each healthcare service provider is associated with an individual cost and an umbrella policy credit and the personal information data further comprises an uncredited umbrella policy cost and

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an identification of a plurality of individuals to be associated with the healthcare services insurance package

and wherein determining the healthcare services package further comprises:

- aggregating the individual costs of each healthcare service provider on the healthcare services panel of each of the plurality of individuals;
- aggregating the umbrella policy credits of each healthcare service provider on the healthcare services panel of each of the plurality of individuals;
- calculating a difference between the uncredited umbrella policy cost and the aggregated amount of umbrella policy credits, wherein the difference represents a credited umbrella policy cost; and
- determining the healthcare services insurance package based on a sum of the aggregated costs and the credited umbrella policy cost.

[claim 77] **(Currently Amended)** A computerized system for providing a user with a customized healthcare services insurance package, comprising:

- a memory device; and
- a processor disposed in communication with said memory device, said processor configured for:
 - receiving a personal information data regarding a user, wherein the personal information data comprises a user identifier and an uncredited umbrella policy cost;

- forwarding information regarding a plurality of healthcare service providers, wherein each healthcare service provider is associated with an individual cost and an umbrella policy credit;
- receiving a selection of a healthcare services panel comprising a user-defined co-pay amount selected from a provider co-pay range and at least one of the healthcare service providers;
- aggregating the costs of healthcare service providers on the healthcare services panel;
- aggregating the umbrella policy credits of each healthcare service provider on the healthcare services panel;
- calculating a difference between the uncredited umbrella policy cost and the aggregated amount of umbrella policy credits, wherein the difference represents a credited umbrella policy cost; and
- determining the healthcare services insurance package based on a sum of the aggregated costs and the credited umbrella policy cost; and
- forwarding a description of the determined healthcare services insurance package, said description including a proposed periodic payment for purchasing said determined healthcare services insurance package.

[claim 95] (Currently Amended) The system of claim 77, wherein each healthcare service provider is associated with an individual cost and an umbrella policy credit and the personal information data further comprises an uncredited umbrella policy cost and

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an identification of a plurality of individuals to be associated with the healthcare services insurance package, and wherein determining the healthcare services package further comprises:

- aggregating the individual costs of each healthcare service provider on the healthcare services panel of each of the plurality of individuals;
- aggregating the umbrella policy credits of each healthcare service provider on the healthcare services panel of each of the plurality of individuals;
- calculating a difference between the uncredited umbrella policy cost and the aggregated amount of umbrella policy credits, wherein the difference represents a credited umbrella policy cost; and
- determining the healthcare services insurance package based on a sum of the aggregated costs and the credited umbrella policy cost.

[claim 101] (Currently Amended) A processor -readable medium storing processor readable instructions for providing a user with a customized healthcare services insurance package, comprising:

- processor readable instructions are issuable by a processor for:
 - receiving a personal information data regarding a user, wherein the personal information data comprises a user identifier and an uncredited umbrella policy cost;

- forwarding information regarding a plurality of healthcare service providers, wherein each healthcare service provider is associated with an individual cost and an umbrella policy credit;
- receiving a selection of a healthcare services panel comprising a user-defined co-pay amount selected from a provider co-pay range and at least one of the healthcare service providers;
- aggregating the costs of healthcare service providers on the healthcare services panel;
- aggregating the umbrella policy credits of each healthcare service provider on the healthcare services panel;
- calculating a difference between the uncredited umbrella policy cost and the aggregated amount of umbrella policy credits, wherein the difference represents a credited umbrella policy cost; and
- determining the healthcare services insurance package based on a sum of the aggregated costs and the credited umbrella policy cost; and
- forwarding a description of the determined healthcare services insurance package, said description including a proposed periodic payment for purchasing said determined healthcare services insurance package.

[claim 119] (Currently Amended) The medium of claim 101 wherein each healthcare service provider is associated with an individual cost and an umbrella policy credit and the personal information data further comprises an uncredited umbrella policy cost and

an identification of a plurality of individuals to be associated with the healthcare services insurance package, and further comprising:

- aggregating the individual costs of each healthcare service provider on the healthcare services panel of each of the plurality of individuals;
- aggregating the umbrella policy credits of each healthcare service provider on the healthcare services panel of each of the plurality of individuals;
- calculating a difference between the uncredited umbrella policy cost and the aggregated amount of umbrella policy credits, wherein the difference represents a credited umbrella policy cost; and
- determining the healthcare services insurance package based on a sum of the aggregated costs and the credited umbrella policy cost.

Allowable Subject Matter

3. Claims 53,71-73,77,95-97,101 and 119-121 are allowed. The following is an examiner's statement of reasons for allowance:

Regarding claims 53, 77, and 101 are directed toward determining a healthcare services insurance package. A user selects a financial parameter, one or more health care services, and one or more healthcare service providers. Each healthcare provider is associated with an individual cost and an umbrella policy credit, and the user is associated with uncredited umbrella policy cost. To determine the cost of the healthcare services package, a computer system calculates the difference between the uncredited umbrella policy cost and the aggregated umbrella credits associated with the

user's selected healthcare service provider(s). This difference is the credited umbrella policy cost. The cost of the healthcare service package is then calculated based on the sum of the individual costs for each healthcare service provider and the credited umbrella policy cost.

The closest prior art of record, Tawil (USPN 5,519,607), Campbell and Joao teach selecting healthcare services and healthcare service providers that are associated with certain insurance policy costs and individual costs, but does not disclose or fairly suggest the use of umbrella policies or an uncredited umbrella policy cost. More specifically, the prior art of record does not disclose that determining a healthcare service package includes the combination of: 1) using a computer system to aggregate the umbrella policy credits for each user selected healthcare provider; 2) using a computer system to calculate a credited umbrella policy cost (the difference between the uncredited umbrella policy cost and the aggregated umbrella credits); and 3) summing the credited umbrella policy cost and the aggregated individual cost to determine the healthcare services package.

Claims 71-73, 95-97, and 119-121 incorporate the features of their respective independent claims through dependency, and are also allowed for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- O'Hara, Colleen; ("Comparison shop for health plans online," *Federal Computer Week*; Mar 22, 1999; vol. 13, no. 7; pg. 27) discloses a method of allowing employees to comparison shop for healthcare plans.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RACHEL L. PORTER whose telephone number is (571)272-6775. The examiner can normally be reached on M-F, 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Morgan can be reached on (571) 272-6773. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. L. P./
Examiner, Art Unit 3626

/Robert Morgan/
Supervisory Patent Examiner, Art Unit 3626